Application No. 10/616,218 Amendment and Election

SEP 2 7 2006

Customer No. 01933

Attorney Docket No. 03398/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Y. GOTFRIED Applicant(s):

Serial No. 10/616,218 :

Filed July 08, 2003 :

For INTRAMEDULLARY NAIL SYSTEM AND

METHOD FOR FIXATION OF A FRACTURED In the event that this Paper is BONE.

BONE

Art Unit 3733

Conf. No. 9774 :

Examiner Michael J. ARAJ

CERTIFICATE OF FACSIMILE TRANSMISSION

TO NO. 1-571-273-8300

TOTAL PAGES: 29

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents n the date noted below. on

Diane J.

Dated: September

petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by form PTO-2038 attached hereto, authorization to charge the extension fee to Account

No. 06-1378.

## AMENDMENT AND ELECTION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Office Action mailed August 28, 2006, the term for response to which expires on September 28, 2006. Please amend the above-identified application as follows:

Amendments to the Claims are set forth in the listing of claims which begins on page 2 of this paper. Claims 1-77 are maintained; and claims 78-82 are added.

Remarks begin on page 27 of this paper.

09/29/2006 CNEGA1 68222801 16616218 01 FC:1202 359.09 OP